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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/735,667

12/16/2003

Menahem Lasser

246/233

2832

7590

11/30/2004

DR. MARK FRIEDMAN LTD.

C/o Bill Polkinghorn

Discovery Dispatch

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EXAMINER

NGUYEN, VAN THU T

ART UNIT

PAPER NUMBER

2824

DATE MAILED: 11/30/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/735,667

Applicant(s)

LASSER ET AL.

Examiner

VanThu Nguyen

Art Unit

2824

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1,2 and 10-15 is/are rejected.
- 7) ☒ Claim(s) 3-9, 16-22 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 December 2003 is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>01/07/2004</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

1. Claims 1-22 are pending.

Specification

2. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

The following title is suggested: DIFFERENT METHODS APPLIED FOR
ARCHIVING DATA ACCORDING TO THEIR DESIRED LIFETIME

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-2, 10-15 are rejected under 35 U.S.C. 102(a)/102(e) as being anticipated by Gu (PGPub. No. 2002/0092030).

Regarding claim 10, Gu discloses a system for archiving data comprising:

(a) a mechanism (200, see FIG. 2) for classifying the data according to a desired lifetime thereof; and

(b) a memory (500, see FIG. 5) having a controller (501-508, see FIG. 5)

operative to archive the data in said memory using a storage method having a reliability in accordance with said desired lifetime (short-term or long-term).

(See paragraphs [0033], [0041], [0062], [0069], [0070])

Regarding claim 11, Gu further discloses said mechanism includes a processor (encoder) for running application that produces and classifies the data (see FIGS. 2-3, paragraphs [0033], [0041]).

Regarding claim 12, Gu also discloses said mechanism includes an input device wherewith a user classifies the data (see FIG. 1 with terminals 70s and 90s).

Regarding claims 13 and 15, Gu also discloses said memory is an EPROM (see paragraph [0067]).

Regarding claim 14, Gu further discloses said storage method includes a parameter, a value whereof is set in accordance with said classifying to control said reliability (store as FIFO manner for short-term data or as index location for long-term data, see FIG. 4).

As per claims 1-2, they encompass the same scope of invention as to that of claims 10 and 14 except they draft in method format instead of apparatus format. The claims are therefore rejected for the same reason as set forth above.

Allowable Subject Matter

6. Claims 3-9, 16-22 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims

7. The following is a statement of reasons for the indication of allowance:

The prior art made of record and considered pertinent to the applicant's disclosure does not teach or suggest the claimed limitations. Gu, Crawford et al., Miller et al., and Belknap et al. taken individually or in combination, do not teach the claimed invention having the following limitations of said parameter being, in combination with the remaining claimed limitations:

- an increment of a voltage pulse use to program said cells; or
- a target threshold voltage of said cells; or
- a width of programming voltage pulses used to program said cells; or
- a starting voltage used to program said cells; or
- a maximum number of programming voltage pulses used to program said cells; or
- a maximum voltage used to program said cells; or
- a number of programming levels of said cells.

Conclusion

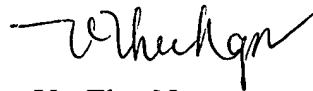
8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to VanThu Nguyen whose telephone number is (571) 272-1881. The examiner can normally be reached on Monday-Friday, 8:00am-4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Elms can be reached on (571) 272-1869. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2824

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

VTN
November 17, 2004



VanThu Nguyen
Primary Examiner
Art Unit 2824